

January 17, 2006

January Seventeenth

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The second regular January Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (8). Mayor John C. Hamlin was absent (1).

Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Finance Director Barbara A. Dameron, City Attorney W. Clarke Whitfield, Jr., and City Clerk/Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Multi-Media Design Manager Mark Aron, Economic Development Director Ron Bunch, Community Development Director Jerry Fischer, and Deputy Public Works Director/City Engineer Kent Shelton.

Vice-Mayor Williams presided. Dr. Williams announced that Mayor Hamlin was out of town on business.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Phillip Smith offered the Invocation. The Pledge of Allegiance to the Flag followed.

#### **COMMUNICATIONS FROM VISITORS**

Barbara Bakari, a Peach Street resident, appeared to present concerns among small landlords whose tenants move to another location just before eviction without paying rent. Ms. Bakari had distributed the following communication to Council Members:

"There is a problem that is truly out of control. A tenant can live rent-free for approximately six months out of a year by refusing to pay rent, being taken to court, and moving to a new place a few weeks before eviction. Leaving no forwarding address gives them the ability to disappear. Even undergoing an additional expense of paying a lawyer is no guarantee of a financial return.

The legal remedy of taking the delinquent tenant to court appears to be a joke to them. Without a mediator, the Judge sends you out to reach an agreement with the person who has abused you month after month and lie after lie. We bear the cost of going to court, having them evicted, and attempting to collect, which we almost never do. There is no way to get their future address and job information or any way to tract them down to serve a judgment.

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One tenant owes Mr. Tarpley \$1,600 for Rhodenizer Street, Mr. Turner more than that for North Avenue, Ms. Jackson over \$800 for West James Street, and me, almost \$900 and counting for Aspen Street. We also are subjected to abusive language, threats, calls at 1:00 a.m., waking us up to threaten and harass. Of course, the property will need a lot of repairs before it can be rented once this family goes on to a new place to ruin.

The saddest part of all is that we are told this is a "civil matter" so not much is done to the perpetrator.

Being on a fixed income we depend on the expected money from these properties. We had trusted a few rentals would help supplement retirement or disability checks to buy medicine and to pay our bills. Instead, we are being gouged by this system and we need help desperately and immediately with this problem. The small landlords in Virginia need a HERO; we seniors deserve better treatment from our state, city, courts, and local government.

We need help by mediation in our cases, mandatory payment of our judgments and a way to get our money without costing us numerous additional fees."

Also present was Maxine Jackson who reported she had a drawer full of judgments at home. Ms. Jackson thanked Council Members for any assistance or guidance they might be able to provide.

Council Member Castiglione wondered if a publicity campaign providing a list of renters who abuse the system might be helpful. Mr. Castiglione felt it might protect landlords in the future from such abusers. He also suggested seeking references from past landlords when an individual applied for rental. Ms. Bakari said that had been tried, but was not successful. She said the referencing landlords were so eager to get rid of the abusers they would give good references, when in fact the tenants were a credit risk.

Council Member Saunders asked City Attorney Whitfield just what recourse these landlords had. Mr. Whitfield responded that unfortunately the remedy with the courts that is currently in place was about it. There is not much the City can do. He said the next step would be the General Assembly. He advised the landlords to contact local and state representatives.

Mr. Saunders said that if Council's hands were tied locally, then perhaps a letter of support from City Council to state and federal officials might be helpful.

Council Member Luther stated there needed to be someone who would speak for the landlords. Mr. Luther said he had dealt with this type of issue as a landlord himself. He said rent abusers were smart, knew exactly how to work the system to get out of paying

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rent, and were abusing senior citizens who had hoped to have extra income during retirement.

Mr. Luther volunteered to go to our local legislators about the landlord abuse problems in the city.

Dr. Williams thanked the landlords for bringing their concerns to Council's attention and asked the administration to look into what options were available and to contact the City's legislative representatives.

#### **MINUTES**

Upon Motion by Council Member Daniels and second by Council Member Smith, Minutes of the January 3, 2006 Regular Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting. The Minutes were approved by the following vote:

VOTE: 8-0  
AYE: Archie, Castiglione, Daniels, Luther, Oakes, Saunders,  
Smith, and Williams (8)  
NAY: None (0)  
ABSENT: Hamlin (1).

#### **BUDGET ADOPTION-FY 2005-2006-TRAFFIC SIGNAL-PIEDMONT PLACE**

Upon Motion by Council Member Castiglione and second by Council Member Archie, Ordinance No. 2006-01.03 presented by its First Reading on January 3, 2006 amending the Fiscal Year 2005-2006 Budget Appropriation Ordinance to provide for a contribution in the amount of \$61,500 and a transfer of \$76,500 from General Street Improvements for installing a traffic signal on Piedmont Drive at a new street, Piedmont Place, for a total appropriation of \$138,000 was adopted by the following vote:

VOTE: 8-0  
AYE: Archie, Castiglione, Daniels, Luther, Oakes, Saunders,  
Smith, and Williams (8)  
NAY: None (0)  
ABSENT: Hamlin (1).

Council Member Luther recalled that at the last Council meeting, he had expressed concerns about the number of stoplights in the vicinity and hoped they would be synchronized for a smooth traffic flow.

City Manager Gwaltney assured Mr. Luther City staff was doing everything possible to provide such.

#### **BUDGET AMENDMENT-FY 2005-2006-CROSSING OF THE DAN IMPROVEMENTS**

Upon Motion by Council Member Archie and second by Council Member Oakes, an Ordinance entitled:

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ORDINANCE NO. 2006-01.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE FOR GRANTS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$530,000 AND LOCAL SHARE IN THE AMOUNT OF \$132,500 TO PROVIDE FUNDS FOR SITE IMPROVEMENTS AT THE CROSSING OF THE DAN PROJECT FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$662,500

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**STATUS OF CONSTRUCTION - ROBERTSON BRIDGE PROJECT**

City Manager Gwaltney advised since Council had authorized him to proceed with regards to Robertson Bridge, the administration had met with the Virginia Department of Transportation (VDOT) officials to discuss financing and to work out a program to move the construction project forward. Mr. Gwaltney said there had also been discussions with the bond attorneys to determine how the City could legally proceed with the project. He advised there would be three different bond issues in order to set aside enough city funding for construction of the bridge.

Mr. Gwaltney called attention to computerized renderings of the current bridge and the proposed new four-lane bridge that were on display for Council Members' review. He called on Deputy City Manager Lacy to discuss financial options for the project's development.

Mr. Lacy reported construction is set to begin in 2009 with a projected completion date of 2011. He said VDOT would use the next 30 months to come up with a final design and purchase right-of-ways.

In reviewing the renderings, Mr. Lacy said the new bridge would line up with Park Avenue south of the river and connect at its current position with Piedmont and Riverside on the river's north side. He advised the current "T" intersection would go and be replaced with an "X" intersection, which would facilitate traffic flow.

Mr. Lacy advised cost figures for 2006 are \$32,000,000, but with inflation, there is a cost projection of \$36,000,000 in the year 2010.

**COMMUNICATIONS**

City Manager Gwaltney called attention to the Monthly Financial Report that had been distributed to Council Members for their review.

There were no communications from the Deputy City Manager, City Attorney and City Clerk.

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**ROLL CALL**

Each Council Members welcomed Mrs. Archie back to the meeting. She had missed several meetings due to illness.

Council Member Archie thanked everyone for their cards, prayers, and get-well wishes during her absence from City Council meetings. Mrs. Archie specifically thanked the secretaries in the City Manager's office for sending pertinent information to her at home while she was ill.

Mrs. Archie commended Multi-Media Design Manager Mark Aron for the beautiful job he has done in the development of City TV-20. She reported she had received a number of compliments from citizens who were appreciative of the information contained on the channel. Mrs. Archie said she had also received some negative comments from an irate individual who expressed displeasure that programming formerly seen on Channel 20 had been moved to Channel 99.

Council Member Castiglione advised some Danville Community College students would be journeying to Richmond to observe the legislative process. He said the trip would be a great experience for all the students, especially those who had never been to Richmond.

Mr. Castiglione reported there were a number of citizens in Danville who were concerned about historic preservation. He requested a list of homes that are in a bad state of repair be given to the local historic groups to determine if they were historically significant before any demolition takes place. Mr. Gwaltney agreed to prepare the list and to meet with any interested citizens.

Council Member Daniels stated he would like to comment about a couple of issues including the ruling the School Board made this past week. He said he was sorry the Board saw fit to not allow home-schooled students to participate in extra-curricular activities within the City Schools. Mr. Daniels said he felt it was a win-win situation and that it was a chance for the school system to showcase what the city schools offered. After reading the newspaper article a school board member had written, Mr. Daniels stated he did not see anything in the article that indicated the school system was stressed by too many students, teachers being overworked, or too much money being spent. He said the article did mention the possibility of a city school student being bumped from the orchestra because an outsider had come in. Mr. Daniels said home-school families most likely voted for the bond referendum to help maintain the schools and were willing to pay extra taxes for that purpose.

Mr. Daniels stated these individuals were citizens of the community and concerned about the schools like all of us and he hoped the school board would revisit the issue and revise their decision.

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Mr. Daniels stated there were people in our community that were stressed because they had lost their jobs and in some instances, lost their incomes. He said these citizens were concerned about their futures and were dealing with an additional stressor, high utility bills that were going to increase once more this year. He said all this was enough to make them wonder what was in store for them. Mr. Daniels said he had a couple of ideas that might relieve some of the stress. He stated he would like to see a policy enacted that utility bills could be paid a year in advance. Mr. Daniels said he knew not everyone had the resources to pay a year in advance, but those who did and wanted to could get a discount. A person who pays the minimum amount per year would get the maximum discount and individuals who had a large account would get a minimum discount. It would be money in the bank referring to savings one would realize.

Mr. Daniels offered another suggestion, stating it would not ease the pain for everyone. He suggested lowering the real estate tax by 1½ to 2 cents. Mr. Daniels felt this would let citizens know their government was concerned about the people they serve.

Mr. Daniels requested discussion of the tax reduction be placed on a future Council agenda for consideration by Council Members.

Council Member Luther informed Council Members and the citizens of Danville that Eugene Stryker passed away today. Mr. Stryker was the band director at George Washington High School for many years and was well-known in the music and civic community of Danville.

Council Member Oakes advised he had received several comments this week from citizens concerned about demolition of housing in the city. He agreed with Mr. Castiglione that groups interested in historic preservation should meet with the city administration to address their concerns.

Council Member Saunders expressed thanks to all organizations and individuals who celebrated the birthday of Dr. Martin Luther King, Jr. Mr. Saunders stated he was in the armed services when Dr. King was assassinated and he thanked all for keeping Dr. King's dream alive. He further expressed appreciation to citizens who are endeavoring to bring the problems of violence in the city to the forefront and encouraged citizens to keep working to reduce the crime rate in Danville. He said the City of Danville was better than that and stated it was everyone's responsibility to work toward that end.

Mr. Saunders urged citizens to help Council help the community by informing Members of their concerns.

Council Member Smith recalled it was a year ago that Council had discussions about what may or may not happen at Dan River. Mr. Smith stated he believed the administration advised there were plans to address in the City budget the economic downturn that

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might occur at Dan River and felt it was now time for Council to address the issue once again. He said it was important to determine the level of services that Council believed Danville citizens could afford in light of the high unemployment rate and the increase in the utility rates. Mr. Smith said it would be a service to the community if Council had some idea of where it wanted to go and how to direct the administration in the coming year with the budget. Mr. Smith believed his concerns went along with those of Council Member Daniels and added there were utility rate problems, a high unemployment rate, and economic development activity that seems to be stalled at least at the moment.

Vice-Mayor Williams stated it was very frustrating to sit back and watch things happen that are out of Council's control. Dr. Williams was referring to the sale of Dan River and the job losses the sale has caused. Dr. Williams said Council and the administration had been eagerly working to bring jobs to Danville to alleviate the unemployment, but there was nothing Council could do about gas prices increasing and utility rates skyrocketing.

Dr. Williams agreed with Council Members Daniels and Smith, stating there should be dialogue among the governing body about how to proceed in addressing Danville's economic concerns. He stated it was important to keep the city moving forward in spite of all the recent job losses and rate and price increases.

The Meeting adjourned at 7:46 P.M.

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MAYOR

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CLERK